

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

ARUBA PETROLEUM, INC.	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 4:12-CV-118
	§	Judge Schell/Judge Mazzant
FCS ADVISORS, INC. d/b/a BREVET	§	
CAPITAL ADVISORS and	§	
BREVET CAPITAL SPECIAL OPPORTUNITIES	§	
MASTER FUND, L.P.	§	
Defendants.	§	

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

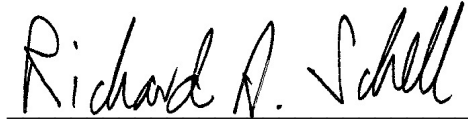
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On June 25, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404 to the Southern District of New York (Dkt. 9) be DENIED.

The court has made a *de novo* review of the objections raised by Defendants (*see* Dkt. 23) and Plaintiff's response thereto (*see* Dkt. 29) and is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Therefore, Defendants' Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404 to the Southern District of New York (Dkt. 9) is DENIED.

**IT IS SO ORDERED.**

**SIGNED this the 27th day of March, 2013.**

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE